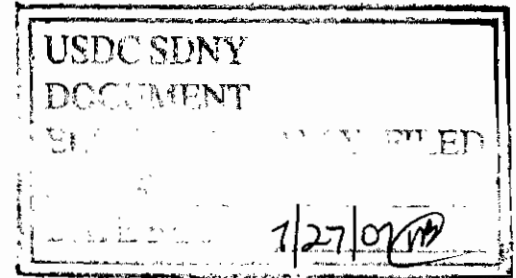


LAW FIRM  
of  
EUGENE J. McDONALD, ESQ.  
170 Broad Street  
Matawan, NJ 07747  
Phone: 732-583-8485  
FAX: 732-583-9739



Via Fax 212 805 7924

July 26, 2007

Hon. Sidney H. Stein, U.S.D.J.  
Southern District of New York  
500 Pearl Street  
New York, NY 10007

MEMO ENDORSED

Attn: Laura Blakely

RE: PL Shipping & Logistics, Ltd. v. H. J. M. International Inc.,  
and Bank of America and Affordable Luxury Ryan Kenny  
Docket No. 07 CV 2818 (SHS)

Dear Ms. Blakely:

In accordance with our telephone conference of July 24<sup>th</sup>, I, on behalf of myself and adversaries, request that the Rule 16(b) conference set for August 2<sup>nd</sup>, 2007 at 10:30 a.m. before Judge Stein be adjourned to some time in mid to late September. As I stated, my client hired a private investigator to find Mrs. Ryan Glover and Ronald Platovski. These two individuals are behind Affordable Luxury Ryan Kenny, a trade name that my client's investigation reveals that was only in business for less than four months and located at the address on the bills of lading. It has not been easy to locate these two men as there had been very little to go on. It must be kept in mind that when they placed an order through the plaintiff's customer in India, those individuals there had little or no knowledge as to the physical characteristics of these two men, where they lived, etc. This is not unusual as most if not all shipping around the world is through individuals who have never met, let alone spoken. If anything, today, most is done by email. So it took some time and ingenuity to locate them.

In discussions I have had with council for Bank of America, Constantine Despotakis, we have concluded that the bank in India, ABN AMERO, is also a necessary party. Consequently I am in the process of filing an amended

complaint to include Mrs. Glover and Platovski and ABN AMERO. Again, I shall have to have summonses issued by the clerk of the court and have these parties served. My adversaries of record, Mr. Despotakis, council for Bank of America and Michael DeCharles, council for HJM International, have no objection to the adjournment and in lieu of my filing a motion to amend the complaint request that for the sake of simplicity that you issue a memo endorsed order allowing me to file the proposed amended complaint.

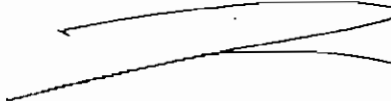
We are all of the opinion that once these additional indispensable parties are included in the case it will move along quite quickly and will probably resolve itself quickly.

As for proposed dates, Mr. Despotakis tells me he is OK for all of September (after labor day), except for September 19<sup>th</sup>. Mr. DeCharles tells me that he is OK for all of September, again after labor day. Both of them have scheduled vacations for August, as do I. I am available on September 11<sup>th</sup>, morning of the 12<sup>th</sup>, 18<sup>th</sup>, 19<sup>th</sup>, 20<sup>th</sup>, 24<sup>th</sup>, and 25<sup>th</sup>. If your schedule permits, I prefer the 24<sup>th</sup> or the 25<sup>th</sup> as it is late in September and I have a lot to do, not to mention that the additional defendants will be presumably entering appearances and also possible conflicts with the Jewish holidays.

By copy of this letter I am so advising my adversaries.

Awaiting your advices, and as always I remain...

Very truly yours,

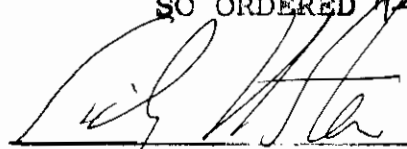
  
Eugene J. McDonald, Esq.

cc: Constantine A. Despotakis at Wilson, Elser  
Attorney for Bank of America Via Fax 914 323 7001

Patrick Michael DeCharles, II, Esq. at Cichanowicz, Callan  
Attorney for HJM International, Inc. Via Fax 212 344 7285

*Plaintiff shall serve & file  
an amended complaint by  
Aug. 17; pretrial conference  
adjourned to 9/28/07 at 10:00 a.m.*

SO ORDERED 7/26/07

  
SIDNEY H. STEIN  
U.S.D.J.